

REMARKS

Claims 4-7 and 10 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. The claims have been amended to correct the indefiniteness. Applicant respectfully requests that this rejection be withdrawn.

Claims 1-4 and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hauer (U.S. 6,868,956). Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hauer in view of Stoxen (U.S. 6,601,688). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hauer in view of Spannhake (U.S. 6,267,219). For applications filed on or after November 29, 1999, these rejections may be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See 35 U.S.C. 103(c), MPEP 706.02(I)(1) and 706.02(I)(2). As noted in the clear and conspicuous statement below, Application serial number 10/527,729 and U.S. 6,868,956 were, at the time the invention of Application serial number 10/527,729 was made, subject to an obligation of assignment to Otis Elevator Company. Therefore, Hauer (U.S. 6,868,956) is now disqualified as prior art and must not be used in a 35 U.S.C. 103(a) obviousness rejection. Accordingly, the various rejections of claims 1-4 and 8 under 35 U.S.C. § 102(e) should be withdrawn.


**Statement Concerning Common Ownership**

Application serial number 10/527,729 and U.S. Patent 6,868,956 were, at the time the invention of Application serial number 10/527,729 was made, subject to an obligation of assignment to Otis Elevator Company.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

Respectfully submitted,

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